

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CARL LANE, )  
                )  
Plaintiff,     )  
                )  
v.              ) Civil Action No. 04-952  
                ) Chief Judge Ambrose  
JOHN RILEY, et al., ) Magistrate Judge Caiazza  
                ) In Re: Docs. 82,99  
                )  
Defendants.    )

ORDER

The Plaintiff's Motion to Quash (Doc. 82) is DENIED.

IT IS FURTHER ORDERED that the Plaintiff's Motion to Strike and Compel(Doc. 99)is GRANTED in part and DENIED in part. The Motion to Strike Defendant John Riley's Motion to Strike Clerk's Entry of Default and Motion to Dismiss is DENIED. The Motion to Compel Copies of Motions (Doc. 99) is GRANTED. The court is providing the Plaintiff with the Motions to Strike Default and to Dismiss along with the supporting briefs with this order.

IT IS FURTHER ORDERED that the Plaintiff shall respond to the Motion to Strike Default by January 20, 2006, and the Motion to Dismiss by February 5, 2006. No further extensions will be granted.

IT IS FURTHER ORDERED that the Plaintiff shall file a response to the Motion to Quash<sup>1</sup> filed by non party Raynell Gay

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<sup>1</sup> A Certificate of Service upon Carl Lane is attached to John Riley's Motion to Strike and Motion to Dismiss. Likewise a Certificate of Service upon Carl lane is attached to the Motion to Quash filed by Raynell Gay.

(Doc. 98 by January 20, 2006.

IT IS FURTHER ORDERED that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Rule 72.1.3(B) of the Local Rules for Magistrates. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

January 5, 2006

s/Francis X. Caiazza

Francis X. Caiazza  
U. S. Magistrate Judge

cc:

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